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10/701,450	11/06/2003	Masaru Suzuki	244990US2SRD	7606
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER	
			CHIEN, TE Y	
			ART UNIT	PAPER NUMBER
			2161	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary

Application No.

10/701,450

Applicant(s)

SUZUKI ET AL.

Examiner

SUSAN Y. CHEN

Art Unit

2161

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/07/08, 12/19/07, 08/03/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11, 12, 15, 16, 21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11, 12, 15, 16, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/23/06, 12/19/07 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsman's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Amendment

This office action is in response to the amendments filed on April 07, 2008, Dec. 19, 2007 and Aug. 03, 2007.

Claims 11-12, 15-16 and 21-22 are pending for examination; claims 11-12, 15-16 and 21-22 have been amended.

Drawings Objection

The replacement drawing of Fig. 6 filed on Dec. 19, 2007 is objected to under 37 CFR 1.84(h)(5) because Figure 6 show(s) modified forms of construction in the same view (i.e., it still contains foreign language symbol “¥” without the support from original filed specification). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date

of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification Objection

The amendment filed on Dec. 19, 2007 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

The pattern matching characteristics in Perl language for the special symbols as shown in the amendment filed on Dec. 19, 2007 (Page 4, lines 4 – page 5, lines 18) for the special symbols of the original filed Fig. 6 are missing from the original specification, which renders both drawings of Fig. 6 (as original filed and filed on Dec. 19, 2007) lacking of support in the original disclosure.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 11-12, 15-16 and 21-22, what does the claimed "the label" at the end of item (b) refer to (i.e., there are a plurality of label in these claims, which one is the claimed "the label"?)

Because the ambiguous nature of instant invention, the following art rejection as the best of examiner ascertain.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11-12, 15-16 and 21-22, are rejected under 35 U.S.C. 102(e) as being anticipated by Lennon et al. (U.S. Patent Publication No. 2003/0018607).

As to claim 11, Lennon et al. (hereinafter referred as Lennon) discloses a data retrieval method comprising:

storing a plurality of structured data items in a first memory, each of the information data items including one or more elements, each of the elements having an element name and an element value [e.g., the local metadata storing units: 106, 107, 110, 112, 111, 114, Fig. 1 and associated texts].

Storing, in a second memory, (a) a plurality of labels corresponding to a plurality of types of the element value respectively, each of the labels indicating a name of one of the types [e.g., the stored XML schema in the XML repository 200, Fig. 2 and associated texts], and (b) one or more element- value- patterns for each label of the labels, each of the element- value- patterns expressing an arrangement of characters of a character string which belongs to one of the types corresponding to the label [e.g., , Example G at sections: 0157-0160];

comparing the element value of each element of the element of the elements with the element-value-patterns for each of the labels stored in the second memory, to obtain a plurality of data sets each including (a) the element name of the element and (b) one of the labels whose corresponding element-value -pattern matches the arrangement of the characters of the element value of the element [e.g., the metadata server 212 and the media browser 101 processing of Example 1 at sections: 0167-0181];

storing the data sets in a third memory [e.g., the metadata stored in a remote legacy database 210, Fig. 2]

inputting a search request including a keyword and one of the labels [e.g., the use of media browser (101, Fig. 1) to select to view or play the item of stored XML description as cited in Section 0063 and Fig. 4 with associated texts];

retrieving from the third memory one of the data sets which includes the one of the labels included in the search request, to obtain the element name included in the one of the data sets [e.g., the use of URI technique at Sections: 0063-0065];

retrieving from the first memory one of the structured data items which includes a first element whose element name is equal to the element name included in the one of the data items and a second element whose element value includes the keyword [e.g., Section: 0063, Fig(s). 4-5 and associated texts];

outputting the element value of the first elements [e.g., the use of GUI interface to outputting the element value of the first elements as shown by the unit 400, Fig. 4 and associated texts].

As to claim 12, this claim recites the same limitations as claim 11, except it claims that the input query is expressed in nature-language, which is deemed to be met by the conventional query request of a internet browser, thus, this claim is rejected for the same reason.

As to claims 15-16 and 21-22, these claims recite the same features as claims 11-12, in form of computer apparatus and computer readable storage medium, hence, are rejected for the same rational.

Response to Arguments

Applicant's arguments filed on Aug. 03, 2007 have been fully considered but they are not persuasive.

The examiner disagrees with applicant's arguments based on newly amended limitations that Lennon fails to disclose the newly claimed / amended second memory and the comparing element-value-patterns for each label to obtain a plurality of data sets process.

In reply to Applicant's arguments, the examiner would like to direct application attention to the following figures and excerpts disclosed by Lennon:

For example, in Fig. 1, the local metadata storing units: 106, 107, 110, 112, 111, 114, and associated texts as disclosed by Lennon clearly read on the claimed first memory.

In addition, the stored XML schema in the XML repository 200, Fig. 2 and Example G at sections: 0157-0160 of Lennon's clearly read on the claimed second memory.

Furthermore, the metadata stored in a remote legacy database 210, Fig. 2 as shown by Lennon clearly read on the claimed third storage media

Moreover, the metadata server [e.g., 212, Fig. 2] incorporates with the media browser [e.g., 101, Fig. 2] as shown in Example 1 at sections: 0167-0181 clearly

disclosed the claimed comparing element-value-patterns for each label to obtain a plurality of data sets processing.

Based on the discussion above, in contrary to applicant arguments, Lennon clearly anticipated the claimed limitations.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUSAN Y. CHEN whose telephone number is (571)272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mofiz Apu can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Susan Y Chen/
Partial Sig. Examiner
Art Unit 2161

July 17, 2008

/Apu M Mofiz/
Supervisory Patent Examiner, Art Unit 2161